

FREQUENTLY ASKED QUESTIONS

Are there types of allegations that the Board cannot accept?

The Board can only accept allegations that are about actions of a registrant that may be conduct deserving of sanction. The types of actions that may be conduct deserving of sanction are outlined in the laws, bylaws, and standards that apply to registrants. The Complaints and Quality Assurance Coordinator will be able to tell you if your allegation is one that the Board can accept.

How long does the Complaints and Discipline process take?

The length of the process varies with the complexity of the allegation. Some allegations are resolved very quickly while others take months or a year or longer. If you file an allegation with the Board you will receive updates throughout the process.

Are there any costs associated with filing an allegation?

There are no costs for filing an allegation.

If I file an allegation, do I have to be involved with the process?

Generally, yes. You are usually the best source of information about what happened. You may need to provide a statement, documents, or testify if the matter is referred to the Disciplinary Panel for a hearing.

What if my allegation is dismissed by the Committee?

If the Committee dismisses your allegation, you will be told why in writing and can appeal the decision to the Supreme Court.

If I file an allegation, can I also take legal action?

Filing an allegation has no effect on any other legal action you choose to consider.

What kinds of sanctions might a registrant receive?

Some examples of the types of sanctions a registrant may receive include:

- a counsel or caution
- a suspension or restriction of his or her practice
- a requirement to participate in training or an appropriate treatment program
- a fine



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NEWFOUNDLAND & LABRADOR
PHARMACY BOARD



Complaints and Discipline Process

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INTRODUCTION

The Newfoundland and Labrador Pharmacy Board (referred to as the “Board”) protects the public by governing the profession of pharmacy to ensure quality and ethical care. One way that the Board protects the public is through the Complaints and Discipline process. Through this process, the Board investigates complaints it receives about pharmacy care, and educates and disciplines pharmacists, pharmacy technicians, interns, and students when appropriate.

IMPORTANT DEFINITIONS

Registrant: a pharmacist, pharmacy technician, intern, or student who is registered with the Board and allowed to practice pharmacy in NL

Allegation: the legal term for a complaint filed with the Board

Complainant: a person who files an allegation with the Board

Respondent: a registrant against whom an allegation is filed

Conduct deserving of sanction: the legal term for actions of a registrant that are not allowed and that can form the basis of an allegation

IF YOU HAVE A CONCERN

First, try talking to your practitioner or the pharmacy manager about your concerns with the pharmacy care you received. Sometimes problems occur because there has been a misunderstanding. Having a discussion will often resolve your questions and concerns.

If your practitioner does not resolve your concerns, or if you are not comfortable talking

to him or her, contact the Complaints and Quality Assurance Coordinator at the Board. Sometimes he or she, or another Board staff member, can help resolve the issue. If this is not possible, the Complaints and Quality Assurance Coordinator will explain how to file an allegation with the Board.



THE COMPLAINT PROCESS

Allegations can be brought to the Board’s attention by telephone, e-mail, or in person. When the Board receives an allegation, the Board’s Complaints and Quality Assurance Coordinator will provide you with a Complaint Form to fill out. It may be appropriate to attach other documents, such as prescriptions, to this form.

Once the Complaint Form is filled out, the Respondent will be given a copy and asked to respond in writing. When the written response is received, you will be provided with a copy and asked if you want to make any further comments. If you provide further comments, the Respondent will also be given another chance to respond.

Once you and Respondent have both provided statements, the Registrar of the Board will review the matter. He or she may ask both parties if they would like to try to resolve the matter with the Registrar’s help. This is called Alternative Dispute Resolution.



If the allegation cannot be resolved this way, the Registrar will refer the matter to the Complaints Authorization Committee (referred to as the “Committee”) for review.

The Committee is made up of pharmacy practitioners and public representatives.

The Committee will review the allegation and may do a number of things including:

- Ask the Registrar to try Alternative Dispute Resolution with both parties
- Conduct an investigation
- Request a meeting with the respondent
- Refer the matter to the Quality Assurance Committee
- Dismiss the allegation
- Issue a counsel or caution to the Respondent
- Refer the allegation to the Board’s Disciplinary Panel for a hearing



If the Committee conducts an investigation, you may be asked to provide a statement or additional information to an investigator. The Respondent must also cooperate with an investigation and must follow any order that the Committee makes.

If a hearing is held by the Disciplinary Panel, the you and other witnesses may be required to testify. The Disciplinary Panel will hear evidence and will make a decision about whether the Respondent is guilty of conduct deserving of sanction. If so, the Disciplinary Panel will also let you know the outcome.